

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**CRYESHA MCDONALD and
CHANTAL LEWIS, on behalf of themselves
and all others similarly situated**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:18-cv-852-DPJ-FKB

TRUSTMARK NATIONAL BANK

DEFENDANT

TRUSTMARK NATIONAL BANK'S MOTION TO DISQUALIFY COUNSEL

Subject to and without waiving any of its available defenses, including but not limited to such defenses under Fed. R. Civ. P. 12(b) and 8(c), Defendant Trustmark National Bank (“Trustmark”) requests that the Court disqualify Attorneys Jeffrey Kaliel (“Kaliel”) and Sophia Gold (“Gold”) of the Washington, DC law firm Kaliel, PLLC from participating as counsel because Attorneys Kaliel and Gold made an unauthorized appearance.

The Plaintiffs’ Complaint [Doc. 1] shows that it was submitted by Attorney Christopher J. Weldy, who is licensed to practice in Mississippi, but also by Attorneys Kaliel and Gold, who are not licensed to practice in Mississippi and have not been admitted to practice *pro hac vice*. As set forth in Trustmark’s accompanying Memorandum in Support of this Motion to Disqualify, Attorneys Kaliel and Gold have entered an unauthorized appearance in this Court in violation of Local Rule 83.1(d), for which the penalty is mandatory disqualification. *See In re Williamson*, 838 So. 2d 226, 235 (Miss. 2002); *Reech v. Sullivan*, 2018 WL 1698303, at *2–3 (S.D. Miss. Apr. 5, 2018); *Isom v. Valley Forge Ins. Co.*, 2016 WL 4183315, at *2 (S.D. Miss. Aug. 5, 2016), *aff’d*, 716 F. App’x 280, 288 (5th Cir. 2017).

For the reasons discussed in Trustmark's accompanying Memorandum in Support, Trustmark requests that the Court disqualify Attorneys Kaliel and Gold from participating as counsel. Trustmark requests such other and further relief as the Court deems just and appropriate.

Dated: December 20, 2018

Respectfully submitted,

TRUSTMARK NATIONAL BANK

By: s/R. David Kaufman
R. David Kaufman
One of the Attorneys for Defendant

OF COUNSEL:

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CERTIFICATE OF SERVICE

I, R. David Kaufman, hereby certify that on December 20, 2018, I electronically filed the foregoing document with Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

s/R. David Kaufman
R. David Kaufman, MS Bar No. 3526
One of the Attorneys for Defendant